

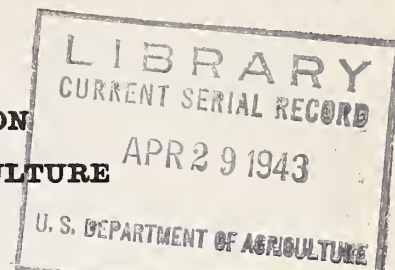
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MARCH 6, 1943

**FOOD DISTRIBUTION ADMINISTRATION**  
**UNITED STATES DEPARTMENT OF AGRICULTURE**



[FDO 29]

**PART 1460—FATS AND OILS****RESTRICTIONS ON THE USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL**

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and to assure an adequate supply and efficient distribution of cottonseed, peanut, soybean, and corn oil to meet war and essential civilian needs, *It is hereby ordered*, As follows:

§ 1460.13 *Cottonseed, peanut, soybean, and corn oil; restrictions on use and distribution—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "crude oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, and which has not been refined.

(2) The term "refined oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, which has been refined, and which may or may not have been further processed. Such processing may include, but is not limited to, bleaching, deodorizing, winterizing, or hydrogenation.

(3) The term "refiner" means any person who accepts delivery of crude oil for the purpose of refining, and who may or may not process refined oil, produced by him or acquired from any other person, further in the manufacture of shortening, cooking oil, salad oil, or margarine.

(4) The term "margarine manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of margarine.

(5) The term "non-refining shortening manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of shortening, cooking oil, or salad oil, and who does not own, control, or operate a refinery for refining crude oil.

(6) The term "industrial user" means any person, other than a refiner, who accepts delivery of crude or refined oil, for any use other than the manufacture of an edible product. A manufacturer of medicinal preparations shall be deemed to be an industrial user hereunder.

(7) The term "person" means any individual, partnership, corporation, association, or other business entity.

(8) The term "Director" means the Director of Food Distribution, United

States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(9) The term "receiving notice from the Director" shall include, but is not limited to, the delivery of a telegram or letter from the Director to an employee of the person concerned at the business address of such person.

(b) *Restrictions on delivery of crude oil.* No person shall deliver and no person, except an industrial user, shall accept delivery of crude oil, unless specifically authorized or directed by the Director.

(c) *Restrictions on delivery of refined oil.* No person shall deliver refined oil to a refiner; margarine manufacturer, or non-refining shortening manufacturer and no refiner, margarine manufacturer, or non-refining shortening manufacturer shall accept delivery of refined oil, unless specifically authorized or directed by the Director.

(d) *Restrictions on the use of crude oil.* No person, other than an industrial user, shall use crude oil except in such quantities and for such purposes as the Director shall specifically authorize or direct.

(e) *Applications for authorizations.* Applications for authorizations required by this order shall be made on such forms, in such manner, for such periods, and at such times as the Director shall prescribe.

(f) *Effective period of authorizations.* No person shall deliver crude or refined oil pursuant to or in reliance on any authorization or directive which has expired at the time of such delivery. The Director shall prescribe in each authorization for delivery the time in which delivery may be made thereunder. Such time may be extended by the Director, in his discretion, upon application.

(g) *Further allocations.* No person, after receiving notice from the Director to refrain from delivering or using any crude or refined oil acquired by him pursuant to an authorization or directive issued hereunder, shall deliver or use such oil, except upon further specific authorization of the Director.

(h) *Intra-company deliveries.* The provisions and restrictions of this order with respect to delivery of crude oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from

one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(i) *Contracts.* All contracts heretofore or hereafter entered into for the purchase or sale of crude or refined oil shall be subject to any allocation made pursuant to this order.

(j) *Delivery.* For the purposes of this order:

(1) A person shall be deemed to have delivered crude or refined oil upon the occurrence of any one of the following:

(i) The delivery by such person of such oil to a common carrier and the issuance of a bill of lading therefor; or

(ii) The loading of such oil in a truck or tank wagon furnished by the person to whom delivery is to be made; or

(iii) The unloading of such oil in a plant or storage tank which is owned, leased, or controlled by the person to whom delivery is to be made.

(2) A person shall be deemed to have accepted delivery of crude or refined oil upon the occurrence of any one of the following:

(i) The acquisition by such person of a bill of lading issued by a common carrier for such oil; or

(ii) The loading of such oil in a truck or tank wagon furnished by such person; or

(iii) The receiving of such oil in a plant or storage tank which is owned, leased, or controlled by such person.

(k) *Records and reports.* Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe. (Specific recording or reporting requirements by the Director will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.)

(l) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of fats and oils and premises used in his business, and all of his books, records, and ac-

counts shall, upon request, be submitted to audit and inspection by the Director.

(m) *Violations.* Any person who wilfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or wilfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation and such further action may be taken against him as the Director deems appropriate, including recommendations for prose-

cution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(n) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(o) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref.: FD-29.

(p) *Effective date.* This order shall become effective on the 16th day of April 1943, at 12:01 a. m., e. w. t.

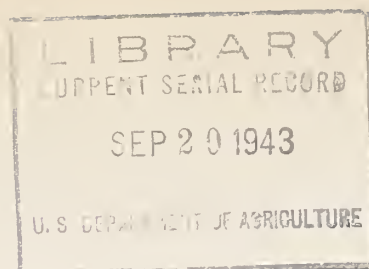
(E.O. 9280; 7 F.R. 10179)

Issued this 6th day of March 1943.

[SEAL]

CLAUDE R. WICKARD,  
*Secretary of Agriculture.*



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**FDO 29**  
 SEPT. 3, 1943

*Partial Suspension*

## WAR FOOD ADMINISTRATION

 [FDO 29 as Amended, Partial Suspension]

### PART 1460—FATS AND OILS

#### USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Pursuant to the authority vested in the War Food Administrator, *It is hereby ordered*, As follows:

That, unless otherwise ordered by the Director of Food Distribution, War Food

Administration, the restrictions of paragraph (b) of Food Distribution Order No. 29, as amended (8 F.R. 5619; 8623; 10970), § 1460.13 (b), shall not apply to the delivery of crude oil by any person to a refiner, or to the acceptance of delivery of crude oil by a refiner, when such delivery or acceptance of delivery occurs during the period beginning on October 1, 1943, and ending on December 31,

1943. The term "refiner", as used herein, means any person who is a refiner as defined in Food Distribution Order No. 29, as amended.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 3d day of September 1943.

MARVIN JONES,  
War Food Administrator.

Press Release Immediate:  
Saturday, September 4, 1943.

The War Food Administration has suspended restrictions on delivery of crude cottonseed, peanut, soybean and corn oils to refiners for the calendar quarter beginning October 1 to facilitate the movement of these oils during the new crushing season.

Authorizations for delivery to industrial users will continue to be obtained from the Food Distribution Administration.

Crushing of the 1943 oil seed crops will be seasonally heavy in October, November and December. During this period, therefore, crude oil production will be greatly in excess of commercial consumption, and refiners should experience

no difficulty in obtaining current requirements.

Restrictions on crude oil delivery became effective last March when dwindling 1942 stocks and maldistribution made it necessary to redistribute stocks and allocate production in the interest of wartime needs. Excess supplies in the hands of one refiner, for example, had to be removed to a refiner in shorter supply, often involving additional transportation. Suspension of the restrictions will permit refiners to obtain supplies from the most favorable shipping points.

The WFA action was taken by suspending part of paragraph (b) in Food Distribution Order No. 29. This order restricts the use and distribution of the four oils—in both the crude and refined

states. Officials pointed out, however, that the suspension affects only the crude oil shipped to refiners; that all other provisions of FDO 29 remain in effect. It was explained also that allocations for September are *not* suspended. However, refiners need not file application in September for October supplies of crude oil.

While there is no change with reference to use of the four oils by refiners, or shipment of refined oil by refiners to other refiners and margarine or shortening manufacturers, WFA said allocations will be made in September for October, November, and December. Applications for this quarterly allocation should be filed by September 15 with the Fats and Oils Branch, Food Distribution Administration, Washington 25, D. C.

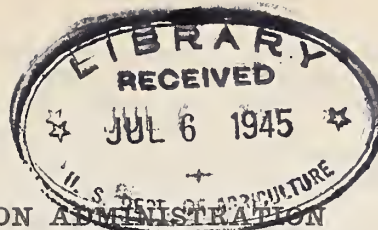


UNITED STATES DEPARTMENT OF AGRICULTURE  
Food Distribution Administration  
Washington, D. C.

The word "supplemental" appearing in Paragraph 8 of Amendment No. 1 to Food Distribution Order No. 29 will be corrected in the Federal Register to read "supplemental".







FOOD DISTRIBUTION ADMINISTRATION

UNITED STATES DEPARTMENT OF AGRICULTURE

[FDO 29, Amendment 1]

PART 1460—FATS AND OILS

RESTRICTIONS ON THE USE AND DISTRIBUTION  
OF COTTONSEED, PEANUT, SOYBEAN, AND  
CORN OIL

Pursuant to the authority vested in me by Executive Order No. 9322, dated March 26, 1943 (8 F.R. 3807), and to assure an adequate supply and efficient distribution of cottonseed, peanut, soybean, and corn oil to meet war and essential civilian needs, *It is hereby ordered*, That Food Distribution Order 29 (8 F.R. 2915), issued on March 6, 1943, by the Secretary of Agriculture, be, and the same hereby is, amended to read as follows:

§ 1460.13 *Cottonseed, peanut, soybean, and corn oil; restrictions on use and distribution—*(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent thereof:

(1) The term "crude oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, and which has not been refined.

(2) The term "refined oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, which has been refined, and which may or may not have been further processed. Such processing may include, but is not limited to, bleaching, deodorizing, winterizing, or hydrogenation.

(3) The term "refiner" means any person who accepts delivery of crude oil for the purpose of refining, and who may or may not process refined oil, produced by him or acquired from any other person, further in the manufacture of shortening, cooking oil, salad oil, or margarine.

(4) The term "non-refining margarine manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of margarine, and who does not own, control, or operate a refinery for refining crude oil.

(5) The term "non-refining shortening manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of shortening, cooking oil, or salad oil, and who does not own, control, or operate a refinery for refining crude oil.

(6) The term "industrial user" means any person, other than a refiner, who accepts delivery of crude or refined oil, for any use other than the manufacture

of an edible product. A manufacturer of medicinal preparations shall be deemed to be an industrial user hereunder.

(7) The term "person" means any individual, partnership, corporation, association, or other business entity.

(8) The term "Director" means the Director of Food Distribution, United States Department of Agriculture, or any employee of the United States Department of Agriculture designated by such Director.

(9) The term "receiving notice from the Director" shall include, but is not limited to, the delivery of a telegram or letter from the Director to an employee of the person concerned at the business address of such person.

(b) *Restrictions on delivery of crude oil.* No person shall deliver and no person, except an industrial user, shall accept delivery of crude oil, unless specifically authorized or directed by the Director.

(c) *Restrictions on delivery of refined oil.* No person shall deliver refined oil to any other person who is a refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer, and no refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer shall accept delivery of refined oil, unless specifically authorized or directed by the Director.

(d) *Restrictions on the use of crude oil.* No person, other than an industrial user, shall use crude oil except in such quantities and for such purposes as the Director shall specifically authorize or direct.

(e) *Restrictions on the use of refined oil.* No refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer shall use refined oil except in such quantities and for such purposes as the Director shall specifically authorize or direct. The foregoing restriction shall be construed as being supplemented to the restrictions of any other applicable food distribution order, and an authorization or directive issued pursuant to this paragraph (e) shall not be construed as authorizing a violation of any other food distribution order.

(f) *Effective period of authorizations or directives.* The Director may prescribe in an authorization or directive, issued pursuant to this order, a period of time in which the authorization and directive shall be in force and effect, and no person shall deliver, accept delivery

of, or use crude or refined oil pursuant to or in reliance on an authorization or directive for such delivery, acceptance of delivery, or use, as the case may be, after the expiration of the effective period thereof.

(g) *Inventories.* Crude or refined oil authorized or directed by the Director to be used for a specific purpose during a specified period shall revert to inventories where and to the extent that such oil is not used during the specified period for the specific purpose designated in the authorization or directive. Crude or refined oil which the Director has authorized or directed to be delivered, accepted for delivery, or used for the purpose of building up inventories, or which has reverted to inventories under the terms of this order, shall not be used for any purpose other than refining to the extent necessary to prevent deterioration, except as the Director may further authorize or direct.

(h) *Further allocations.* No person, after receiving notice from the Director to refrain from delivering or using any crude or refined oil acquired by him pursuant to an authorization or directive issued hereunder, shall deliver or use such oil, except upon further specific authorization of the Director.

(i) *Intra-company deliveries.* The provisions and restrictions of this order with respect to delivery of crude oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(j) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereinafter entered into, or any rights accrued or payments made thereunder.

(k) *Delivery.* For the purposes of this order:

(1) A person shall be deemed to have delivered crude or refined oil upon the occurrence of any one of the following:

(i) The delivery by such person of such oil to a common carrier and the issuance of a bill of lading therefor; or

(ii) The loading of such oil in a truck or tank wagon furnished by the person to whom delivery is to be made; or

(iii) The unloading of such oil in a plant or storage tank which is owned, leased, or controlled by the person to whom delivery is to be made.

(2) A person shall be deemed to have accepted delivery of crude or refined oil upon the occurrence of any one of the following:

(i) The acquisition by such person of a bill of lading issued by a common carrier for such oil; or

(ii) The loading of such oil in a truck or tank wagon furnished by such person; or

(iii) The receiving of such oil in a plant or storage tank which is owned, leased, or controlled by such person.

(1) *Applications, records, and reports.* Applications for authorizations required by this order shall be made on such forms, in such manner, for such period, and at such times as the Director shall prescribe, and every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe, subject to the approval of the Bureau of

the Budget pursuant to the Federal Reports Act of 1942.

(m) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of fats and oils and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(n) *Violations.* Any person who willfully violates any provision of this order or who by any act or omission falsifies records to be kept or information to be furnished pursuant to this order or willfully conceals a material fact concerning a matter within the jurisdiction of any Department or agency of the United States may be prohibited from receiving or making further deliveries of any material subject to allocation; and such further action may be taken against him as the Director deems appropriate, including recommendations for prosecution under section 35a of the Criminal Code (18 U.S.C. 1940 ed. 80), under paragraph 5 of section 301 of Title III of the Second War Powers Act, and under any and all other applicable laws.

(o) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may petition in writing (in triplicate) for relief to the Director, setting forth all pertinent facts and the nature of the relief sought. The Director may thereupon take such action as he deems appropriate, and such action shall be final.

(p) *Communications to Department of Agriculture.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Director of Food Distribution, United States Department of Agriculture, Washington, D. C. Ref.: FD-29.

(q) *Effective date.* This order shall become effective on the 3d day of May 1943, at 12:01 a. m., e. w. t.

(E.O. 9322; 8 F.R. 3807; E.O. 9334; 8 F.R. 5423)

Issued this 28th day of April 1943.

[SEAL]

CHESTER C. DAVIS,  
Administrator,  
War Food Administration.

Press Release Immediate:  
Thursday, April 29, 1943.

The War Food Administration announced today that edible oils allocated to manufacturers and not used by them for the purpose specified in the allocation will revert to inventory and remain there until further authority is granted.

The provision is contained in an amendment to Food Distribution Order 29, effective May 3. The order regulates the use and distribution of peanut, soybean, cottonseed and corn oils.

Under the original order, manufacturers are required to state in their applications the amount of oils they desire for specific allowable purposes. The

amendment makes them accountable for its use, and this use must be consistent with the allocation.

The amended order also clarifies the status of margarine manufacturers. A non-refining margarine manufacturer is required to apply for allocation as such. A refiner who is also a manufacturer is required to file only one application for allocation in both capacities.



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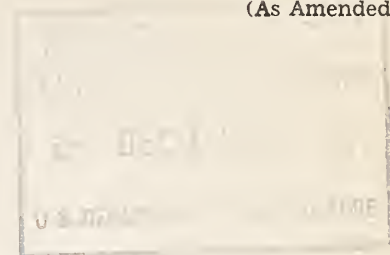
# FDO 29

(PARTIAL SUSPENSION)

AMDT. 1

DEC. 3, 1943

(As Amended)



## WAR FOOD ADMINISTRATION

[Food Distribution Order 29, as Amended,  
Partial Suspension, Amendment No. 1]

### PART 1460—FATS AND OILS

USE AND DISTRIBUTION OF COTTONSEED, PEANUT,  
SOYBEAN, AND CORN OIL

Pursuant to the authority vested in the  
War Food Administrator, the Order (8

F.R. 12255) issued by the War Food Administrator on September 3, 1943, partially suspending Food Distribution Order 29, as amended, is amended as follows:

By deleting the word and figures "December 31, 1943" and inserting in lieu thereof the following: March 31, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 3d day of December 1943.

ASHLEY SELLERS,

Assistant War Food Administrator.

### War Food Administration Summary to FDO 29

Restrictions on delivery of crude cottonseed, peanut, soybean and corn oils to refiners for refining have been suspended through March 31, 1944, extending for 3 months the current suspension which became effective October 1, 1943, the War Food Administration has announced.

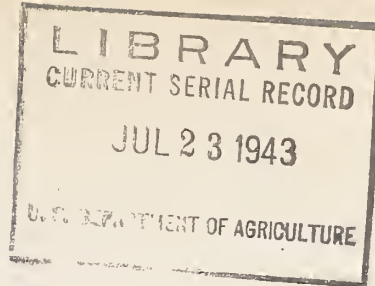
Authorizations for delivery to all users (except refiners) will continue to be obtained from the Food Distribution Administration.

There is no change with reference to authorization for use of the four oils, or the shipment of refined oil by refiners to other refiners and margarine and shortening manufacturers.

WFA said allocations will be made this month for January, February and March, applications for which should be mailed by December 10 to the Fats and Oils Branch, Food Distribution Administration, Washington 25. D. C.



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**FDO 29**  
AMDT. 2  
JUNE 21, 1943

## WAR FOOD ADMINISTRATION

[FDO 29, Amdt. 2]

### PART 1460—FATS AND OILS

#### COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Food Distribution Order 29 (8 F.R. 2915) issued by the Secretary of Agriculture on March 6, 1943, as amended (8 F.R. 5619), § 1460.13, is amended by deleting the provisions of (e) thereof and inserting in lieu thereof the following:

(e) *Restrictions on the use of refined oil.* (1) No refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer shall use refined oil except in such quantities and for such purposes as the Director shall specifically authorize or direct. The foregoing restriction shall be construed as being supplemental to the restrictions of any other applicable food distribution order, and an authorization or directive

issued pursuant to this paragraph (e) shall not be construed as authorizing a violation of any other food distribution order.

(2) No refiner of vegetable oils who has executed a 1942 Refiner Contract with the Commodity Credit Corporation shall, without the approval of Commodity Credit Corporation, use any refined cottonseed, peanut or soybean oil manufactured from crude oil repurchased from the Commodity Credit Corporation pursuant to the Refiner Contract except for the manufacture of edible products, for sale to persons who will use such oil for the manufacture of edible products, or for supplying refined oil to the Commodity Credit Corporation as provided in such Refiner Contract.

This order supersedes in all respects Oilseed Order No. 2 issued by the Com-

modity Credit Corporation on September 30, 1942 (7 F.R. 7767), except that, as to violations of said order, or rights accrued, liabilities incurred, or appeals taken under said order, said Oilseed Order No. 2 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Any appeal pending under said Oilseed Order No. 2 shall be considered under (c) of said Food Distribution Order 29, as amended.

This order shall become effective as of 12:01 a. m., e. w. t., June 24, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9522, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 21st day of June 1943.

CHESTER C. DAVIS,  
War Food Administrator.





**MAR. 11, 1944**

**WAR FOOD ADMINISTRATION**

[FDO-29, as Amended, Partial Suspension, Amdt. 2]

**PART 1460—FATS AND OILS**

**USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL**

The order, as amended (8 F.R. 12255, 16353), partially suspending Food Distribution Order 29, as amended, is amended to read as follows:

Unless otherwise ordered by the Director of Food Distribution, War Food

Administration, the restrictions of paragraph (b) of Food Distribution Order No. 29, as amended (8 F.R. 5619, 8623, 10970, 15551; 9 F.R. 651), § 1460.13 (b), shall not apply to the delivery of crude oil by any person to a refiner, or to the acceptance of delivery of crude oil by a refiner, when such delivery or acceptance of delivery occurs during the period beginning on October 1, 1943, and ending on June 30, 1944. The term "refiner," as used herein, means any person who is a

refiner as defined in said Food Distribution Order 29, as amended.

This amendment shall become effective at 12:01 a. m., e. w. t., March 11, 1944. (E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 11th day of March 1944.

**ASHLEY SELLERS,**

*Assistant War Food Administrator.*

**Summary to FDO 29 as Amended, Partial Suspension, Amendment No. 2**

The War Food Administration has authorized a continuance through June 30, 1944 of the suspension of restrictions on delivery of crude cottonseed, peanut, soybean and corn oils to refiners for refining.

Authorizations for delivery of crude oil to users, other than refiners, still must be obtained from the WFA's Office of Distribution, and regulations (under Food Distribution Order No. 29) with reference to use of the four oils, or the shipment of refined oil by refiners to other refiners and margarine and shortening manufacturers, remain the same.

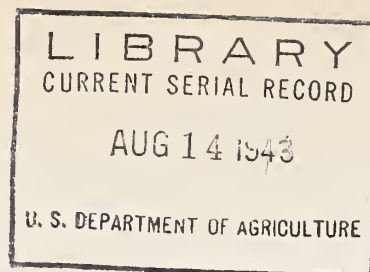
Allocations for use will be made during March for April, May and June, and applications should be mailed by March 10 to the Fats and Oils Branch, Office of Distribution, War Food Administration, Washington 25, D. C.

Suspension of restrictions on delivery of crude edible oils for refining has been in effect since October 1, 1943.

JUL - 7 1944

U. S. DEPARTMENT OF AGRICULTURE





FDO 29

AMDT. 3

AUGUST 5, 1943

## WAR FOOD ADMINISTRATION

[FDO 29, Amdt. 3]

### PART 1460—FATS AND OILS

#### USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Food Distribution Order No. 29, as amended (8 F.R. 5619), § 1460.13, issued under authority of the War Food Administrator on April 28, 1943, is amended as follows:

1. By deleting the provisions in (a) (2) thereof and inserting, in lieu thereof, the following:

(2) The term "refined oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, which has been refined by treating with caustic soda, soda ash, or otherwise to reduce the free fatty acid content, and which may or may not have been further processed. Such processing may include, but is not limited to, bleaching, deodorizing, winterizing, or hydrogenation. However, unless otherwise specified by the Director, "refined oil" when allocated for delivery pursuant to this order shall mean (in the absence of a

previous contract between the deliverer and the deliverer, or unless otherwise requested by the deliverer) oil that is once refined, unbleached, and undeodorized.

2. By deleting the provisions in (b) thereof and inserting, in lieu thereof, the following:

(b) *Restrictions on delivery of crude oil.* No person shall deliver and no person, except an industrial user, shall accept delivery of crude oil, except as specifically authorized or directed by the Director. In any authorization or directive issued pursuant to this paragraph (b), the Director may designate the point from which the oil is to be shipped and the point where it is to be received.

3. By deleting the provisions in (c) thereof and inserting, in lieu thereof, the following:

(c) *Restrictions on delivery of refined oil.* No person shall deliver refined oil to any other person who is a refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer, and no refiner, non-refining margarine

manufacturer, or non-refining shortening manufacturer shall accept delivery of refined oil, except as specifically authorized or directed by the Director. In any authorization or directive issued pursuant to this paragraph (c), the Director may designate the point from which the oil is to be shipped and the point where it is to be received.

With respect to violations of said Food Distribution Order No. 29, as amended, rights accrued, or liabilities incurred prior to the effective date of this amendment, said Food Distribution Order No. 29, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

This amendment shall become effective as of 12:01 a. m., e. w. t., August 7, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 5th day of August 1943.

MARVIN JONES,  
War Food Administrator.

Press Release, Immediate:  
Friday, August 6, 1943.

Under an amendment to Food Distribution Order No. 29, restricting the use and distribution of cottonseed, peanut, soybean and corn oils, the Director of Food Distribution may prescribe the point from which these oils are to be shipped as well as the point at which

they must be received. The amendment is effective August 7, 1943.

Paragraphs (b) and (c) of the original order provide this authority, but only in general terms.

The amendment also clarifies the definition of "refined oil" by stipulating that it includes any oil pressed, expelled or extracted from cottonseed, peanut, soybean or corn oil which, in order to

reduce its free fatty acid content, has been treated with caustic soda, soda ash or otherwise. It also states that "refined oil," when allocated, shall mean oil that is once refined, unbleached and undeodorized (unless otherwise specified by the Director or requested by the deliverer, or in the absence of a previous contract between the deliverer and the deliverer.)





WAR FOOD ADMINISTRATION  
Food Distribution Administration  
Washington 25, D. C.

CORRECTION NOTICE: FDO 29 Amdt. 4 "Fats and Oils"

In printing Food Distribution Order 29 Amdt. 4 the following error occurred in punctuation:

In section 1460.13 (d) a comma(,) instead of a period (.) should be used after the word "hereof" so the sentence will be punctuated as follows: "Subject to the provisions of paragraph (f) hereof, no person, other than an industrial user, shall use crude oil except in such quantities and for such purposes as the Director shall specifically authorize or direct.".

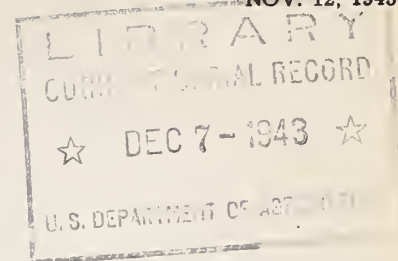


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FDO 29

AMDT. 4

NOV. 12, 1943



# WAR FOOD ADMINISTRATION

[FDO 29, Amdt. 4]

## PART 1460—FATS AND OILS

### USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Food Distribution Order 29, as amended (8 F.R. 5619; 8 F.R. 8623; 8 F.R. 10970), issued by the War Food Administrator on April 28, 1943, is amended to read as follows:

§ 1460.13 *Cottonseed, peanut, soybean, and corn oil; restrictions on use and distribution*—(a) *Definitions*. (1) "Crude oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, and which may have been filtered or settled, but which has not been refined, blown, hydroxylated, or otherwise processed.

(2) "Refined oil" means any oil pressed, expelled, or extracted from cottonseed, peanuts, soybeans, or corn, which has been refined by treating with caustic soda, soda ash, or otherwise to reduce the free fatty acid content, and which may or may not have been further processed. Such processing may include, but is not limited to, bleaching, deodorizing, winterizing, or hydrogenation. However, unless otherwise specified by the Director, "refined oil" when allocated for delivery pursuant to this order shall mean (in the absence of a previous contract between the deliverer and the deliverer, or unless otherwise requested by the deliverer) oil that is once refined, unbleached, and undeodorized.

(3) "Refiner" means any person who accepts delivery of crude oil for the purpose of refining, and who may or may not process refined oil, produced by him or acquired from any other person, further in the manufacture of shortening, cooking oil, salad oil, or margarine.

(4) "Non-refining margarine manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of margarine, and who does not own, control, or operate a refinery for refining crude oil.

(5) "Non-refining shortening manufacturer" means any person who accepts delivery of refined oil for use in the manufacture of shortening, cooking oil, or salad oil, and who does not own, control, or operate a refinery for refining crude oil.

(6) "Industrial user" means any person, other than a refiner, who accepts delivery of crude or refined oil, for any use other than the manufacture of an

edible product. A manufacturer of medicinal or vitamin preparations shall be deemed to be an industrial user hereunder.

(7) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(8) "Director" means the Director of Food Distribution, War Food Administration.

(9) "Receiving notice from the Director" shall include, but is not limited to, the delivery of a telegram or letter from the Director to an employee of the person concerned at the business address of such person.

(b) *Restrictions on delivery of crude oil*. No person shall deliver and no person, except an industrial user, shall accept delivery of crude oil, except as specifically authorized or directed by the Director. In any authorization or directive issued pursuant to this paragraph (b), the Director may designate the point from which the oil is to be shipped and the point where it is to be received.

(c) *Restrictions on delivery of refined oil*. No person shall deliver refined oil to any other person who is a refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer, and no refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer shall accept delivery of refined oil, except as specifically authorized or directed by the Director. In any authorization or directive issued pursuant to this paragraph (c), the Director may designate the point from which the oil is to be shipped and the point where it is to be received.

(d) *Restrictions on the use of crude oil*. Subject to the provisions of paragraph (f) hereof, no person, other than an industrial user, shall use crude oil except in such quantities and for such purposes as the Director shall specifically authorize or direct. The foregoing restrictions shall be construed as being supplemental to the restrictions of any other applicable Food Distribution Order, and an authorization or directive issued pursuant to this paragraph shall not be construed as authorizing a violation of any other Food Distribution Order.

(e) *Restrictions on the use of refined oil*. (1) Subject to the provisions of paragraph (f) hereof, no refiner, non-refining margarine manufacturer, or non-refining shortening manufacturer

shall use refined oil except in such quantities and for such purposes as the Director shall specifically authorize or direct. The foregoing restrictions shall be construed as being supplemental to the restrictions of any other applicable Food Distribution Order, and an authorization or directive issued pursuant to this paragraph shall not be construed as authorizing a violation of any other Food Distribution Order.

(f) *Prohibited uses of cottonseed, peanut, soybean, or corn oil*. (1) No person, including an industrial user, shall use crude, refined, or otherwise processed cottonseed, peanut, soybean, or corn oil, or any mixture of any of these oils, or any mixture of any of these oils with any other material, in the manufacture of any of the following products, unless and except as specifically authorized by the Director:

(i) Soap, exclusive of USP XII soap for medicinal use; and soft soap, hospital grade, according to United States Army Specifications No. 4-1027A (Feb. 5, 1941) for delivery to the United States Army.

(ii) Paints, varnishes, lacquers and all other protective coatings, except that soybean oil may be used in synthetic resins and as a plasticizer in lacquers.

(iii) Linoleum, felt base floor covering, oilcloth and coated fabrics, except that soybean oil may be used as a plasticizer in coated fabrics other than linoleum, oilcloth, and felt base floor coverings.

(iv) Printing inks, including lithographing, offset, silk screen, and other processing inks.

(v) Animal and poultry feed, including vitamin preparations for animals and poultry, but excluding medicinals and pharmaceuticals for animals and poultry.

(vi) Core oils.

(2) The restrictions of paragraphs (f) (1) (i), (ii), (iii), (iv), (v), and (vi) hereof, shall not apply to the use of any cottonseed, peanut, soybean, or corn oil which is a by-product or residue (except stearine) of a permitted processing of such oil or which consists of tank bottoms.

(3) Applications to use cottonseed, peanut, soybean, or corn oil, under paragraph (f) (1) hereof, shall be made on Table I of Form FDA-478 or such other form or forms as the Director may, from time to time, designate.

(g) *Effective period of authorizations or directives*. The Director may pre-



scribe in an authorization or directive, issued pursuant to this order, a period of time in which the authorization or directive shall be in force and effect, and no person shall deliver, accept delivery of, or use crude or refined oil pursuant to or in reliance on an authorization or directive for such delivery, acceptance of delivery, or use, as the case may be, after the expiration of the effective period thereof.

(h) *Further allocations.* No person, after receiving notice from the Director to refrain from delivering or using any crude or refined oil acquired by him pursuant to an authorization or directive issued hereunder, shall deliver or use such oil, except upon further specific authorization of the Director.

(i) *Inventories.* Crude or refined oil authorized or directed by the Director to be used for a specific purpose during a specified period shall revert to inventories where and to the extent that such oil is not used during the specified period for the specific purpose designated in the authorization or directive. Crude or refined oil which the Director has authorized or directed to be delivered, accepted for delivery, or used for the purpose of building up inventories, or which has reverted to inventories under the terms of this order, shall not be used for any purpose other than refining to the extent necessary to prevent deterioration, except as the Director may further authorize or direct.

(j) *Delivery.* For the purposes of this order:

(1) A person shall be deemed to have delivered crude or refined oil upon the occurrence of any one of the following:

(i) The delivery by such person of such oil to a common carrier and the issuance of a bill of lading therefor; or

(ii) The loading of such oil in a truck or tank wagon furnished by the person to whom delivery is to be made; or

(iii) The unloading of such oil in a plant or storage tank which is owned, leased, or controlled by the person to whom delivery is to be made.

(2) A person shall be deemed to have accepted delivery of crude or refined oil upon the occurrence of any one of the following:

(i) The acquisition by such person of a bill of lading issued by a common carrier for such oil; or

(ii) The loading of such oil in a truck or tank wagon furnished by such person; or

(iii) The receiving of such oil in a plant or storage tank which is owned, leased, or controlled by such person.

(k) *Intra-company deliveries.* The provisions and restrictions of this order with respect to delivery of crude oil shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division, or section of a single enterprise to another branch, division, or section of the same or any other enterprise under common ownership or control.

(l) *Contracts.* The restrictions of this order shall be observed without regard to contracts heretofore or hereafter

entered into, or any rights accrued or payments made thereunder.

(m) *Applications, records, and reports.* (1) Applications for authorizations required by this order shall be made on such forms, in such manner, for such period, and at such times as the Director shall prescribe.

(2) Every person subject to this order shall maintain such records for at least two years (or for such other periods of time as the Director may designate), and shall execute and file such reports upon such forms and submit such information as the Director may from time to time request or direct, and within such times as he may prescribe.

(3) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(4) The record-keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(n) *Audits and inspections.* Every person subject to this order shall, upon request, permit inspections, at all reasonable times, of his stocks of fats and oils and premises used in his business, and all of his books, records, and accounts shall, upon request, be submitted to audit and inspection by the Director.

(o) *Petition for relief from hardship.* Any person affected by this order, who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief in writing with the Director, addressed as follows: Director of Food Distribution, War Food Administration, Washington 25, D. C., Ref. FDO 29. Such petition shall set forth all pertinent facts and the nature of the relief sought. The Administrator of this order shall then act upon the petition. In the event that the petitioner is dissatisfied with the action taken by the Administrator of this order, he may request a review of such action by the Director whose decision with respect to the relief sought shall be final.

(p) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using any material subject to priority or allocation control by the War Food Administrator and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to the priority or allocation control of other governmental agencies. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin

any violation of, any provision of this order.

(q) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, or otherwise provided herein, be addressed to the Director of Food Distribution, War Food Administration, United States Department of Agriculture, Washington 25, D. C., Ref. FDO 29.

(r) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director, and may be redelegated by him to any employee of the United States Department of Agriculture.

(s) *Territorial extent.* This order shall apply only to the 48 States of the United States and the District of Columbia.

(t) *Effective date.* This amendment shall become effective on the 23d day of November 1943, at 12:01 a. m., e. w. t. However, with respect to violations of Food Distribution Order 29 as amended, or rights accrued or liabilities incurred thereunder, prior to said date, said Food Distribution Order 29, as amended, shall be deemed in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability. Nothing herein shall be construed as affecting the provisions of the Partial Suspension Order (8 F.R. 12255), with respect to Food Distribution Order 29, as amended, issued by the War Food Administrator on the 3d day of September 1943, and such partial suspension order shall apply to paragraph (b) hereof, to the same extent that it applied to paragraph (b) of Food Distribution Order 29, as amended prior to this amendment.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 12th day of November 1943.

ASHLEY SELLERS,  
Assistant War Food Administrator.

#### SUMMARY FDO 29 AMEND. 4

Regulations prohibiting the use of the four edible oils (cottonseed, peanut, soybean and corn) in a number of industrial products have been transferred from Food Distribution Order No. 42 to the edible oils allocation order, Food Distribution Order 29, to simplify administrative procedure. FDO 42 is a general order covering fats and oils.

Effective November 23, FDO 29 will prohibit, unless specifically authorized on Form FDA-478 by the Director of Food Distribution, the use of cottonseed, peanut, soybean, and corn oils in printing inks, including lithographing, offset, silk screen and other processing inks; core oils; animal and poultry feeds; and in vitamin preparations for animals and poultry.

These oils will similarly be prohibited for use in soap (except in USP XII soap for medicinal use; and soft soap, hospital grade, according to U. S. Army specifications No. 4-1027A for delivery to the Army); and in paints, varnishes, lacquers, and all other protective coatings, linoleums, felt base floor covering, oilcloth and coated fabrics (except that soybean oil may be used in synthetic resins, as a plasticizer in lacquers and as a plasticizer in coated fabrics, other than linoleum, oilcloth and felt base floor coverings).

Cottonseed, peanut and corn oils heretofore have been prohibited under FDO 42 in all these uses except in core oils and animal and poultry feeds. Use of soybean oil was permitted in industrial products generally for several weeks beginning July 10.

To distinguish crude oil from oil which, though not refined, has been treated by blowing, hydroxylating, or other processing for industrial uses, the amendment to FDO 29 clarifies the definition of crude oil to mean "any oil pressed, expelled or extracted from cot-

tonseed, peanuts, soybeans or corn, and which may have been filtered or settled, but which has not been refined, blown, hydroxylated or otherwise processed."

Under the amended order, authorization of the Food Distribution Administration is required to deliver crude oils to industrial users, even though the deliverer may be the industrial user.

After the effective date of the amendment, industrial users of the four edible oils will no longer be required to file (on form FOB 10) supplementary information as to proposed uses of the oil.





## WAR FOOD ADMINISTRATION

[FDO 29, Amdt. 5]

## PART 1460—FATS AND OILS

## USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Food Distribution Order 29, as amended (8 F.R. 5619; 8623; 10970; 15551) § 1460.13, is amended as follows:

By deleting the provisions in (f) (1) and (2) thereof and inserting, in lieu thereof the following:

(f) *Prohibited uses of cottonseed, peanut, soybean, or corn oil, and fatty acids derived therefrom.* (1) Except as specifically authorized by the Director, no person, including an industrial user, shall use crude, refined, or otherwise processed cottonseed, peanut, soybean, or corn oil, or any fatty acids derived from any of such oils, or any mixture of any of such oils or fatty acids, or any mixture of such oils or fatty acids with any other material, in the manufacture of any of the following products:

(i) Soap, exclusive of USP X11 soap for medicinal use, and soft soap, hospital grade, according to United States Army Specifications No. 4-1027A (Feb.

5, 1941) for delivery to the United States Army;

(ii) Paints, varnishes, lacquers and all other protective coatings, except that soybean oil may be used in synthetic resins and as a plasticizer in lacquers;

(iii) Linoleum, felt base floor covering, oilcloth and coated fabrics, except that soybean oil may be used as a plasticizer in coated fabrics other than linoleum, oilcloth, and felt base floor coverings;

(iv) Printing inks, including lithographing, offset, silk screen, and other processing inks;

(v) Animal and poultry feed, including vitamin preparations for animals and poultry, but excluding medicinals and pharmaceuticals for animals and poultry;

(vi) Core oils.

(2) The restrictions of paragraphs (f) (1) (i), (ii), (iii), (iv), (v) and (vi) hereof, shall not apply to the use of:

(i) any cottonseed, peanut, soybean, or corn oil which is a by-product or residue (except stearine) of a permitted processing of such oil or which consists of tank bottoms, or

(ii) Any fatty acids derived from cottonseed, peanut, soybean, or corn oil which is a by-product or residue (except stearine) of a permitted processing of such oil or which consists of tank bottoms.

With respect to violations of said Food Distribution Order 29, as amended, rights accrued, or liabilities incurred prior to the effective date of this amendment, said Food Distribution Order 29, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

This amendment shall become effective January 18, 1944 at 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 12th day of January 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

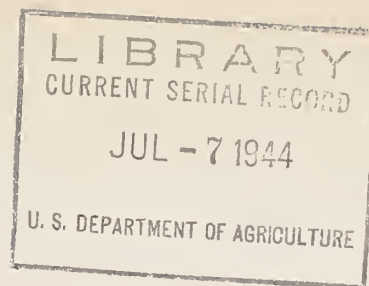
### War Food Administration: Summary to FDO 29 Amendment 5.

Under an amendment to Food Distribution Order No. 29, the War Food Administration has extended the prohibitions on the use of cottonseed, peanut, soybean and corn oils to cover all fatty acids made from these oils. However, the prohibited uses do not apply to fatty acids made from by-products of processing permitted by the order, except in the case of fatty acids made from stearine.

It is effective January 18, 1944.



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FDO 29

AMDT. 6  
MAR. 22, 1944

## WAR FOOD ADMINISTRATION

[FDO 29, Amdt. 6]

## PART 1460—FATS AND OILS

## USE AND DISTRIBUTION OF COTTONSEED, PEANUT, SOYBEAN, AND CORN OIL

Food Distribution Order 29, as amended (8 F.R. 5619, 8623, 10970, 11551; 9 F.R. 651), § 1460.13 (f), is amended as follows:

By deleting the provisions of paragraph (f) thereof and inserting, in lieu thereof, the following:

(f) *Prohibited uses of cottonseed, peanut, soybean, or corn oil, and fatty acids derived therefrom.* (1) Except as specifically authorized by the Director, no person, including an industrial user, shall use crude, refined, or otherwise processed cottonseed, peanut, soybean, or corn oil, or any fatty acids derived from any of such oils, or any mixture of any of such oils or fatty acids, or any mixture of such oils or fatty acids with any other material, in the manufacture of any of the following products:

(i) Soap, exclusive of USP X11 soap for medicinal use, and soft soap, hospital grade, according to United States Army Specifications No. 4-1027A (Feb. 5, 1941) for delivery to the United States Army;

(ii) Paints, varnishes, lacquers and all other protective coatings, except that soybean oil may be used in synthetic resins and as a plasticizer in lacquers;

(iii) Linoleum, felt base floor covering, oilcloth and coated fabrics, except that soybean oil may be used as a plasticizer in coated fabrics other than linoleum, oilcloth, and felt base floor coverings;

(iv) Printing inks, including lithographing, offset, silk screen, and other processing inks;

(v) Animal and poultry feed, including vitamin preparations for animals and poultry, but excluding medicinals and pharmaceuticals for animals and poultry;

(vi) Core oils;

(vii) Any product for use in thinning or reducing paint, varnish, lacquer, or other protective coatings.

(2) The restrictions of paragraphs (f) (1) (i), (ii), (iii), (iv), (v), (vi) and (vii) hereof, shall not apply to the use of:

(i) Any cottonseed, peanut, soybean, or corn oil which is a by-product or residue (except stearine) of a permitted processing of such oil or which consists of tank bottoms, or

(ii) Any fatty acids derived from cottonseed, peanut, soybean, or corn oil

which is a by-product or residue (except stearine) of a permitted processing of such oil or which consists of tank bottoms.

(3) Applications to use cottonseed, peanut, soybean, or corn oil, or fatty acids derived from any of such oils, under paragraph (f) (1) hereof, shall be made on Table I of Form FDA-478 or such other form or forms as the Director may, from time to time, designate.

With respect to violations of said Food Distribution Order 29, as amended, rights accrued, or liabilities incurred prior to the effective date of this amendment, said Food Distribution Order 29, as amended, shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, or liability.

This amendment shall become effective March 27, 1944 at 12:01 a. m., e. w. t.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of March 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

War Food Administration,  
Summary to FDO 29, Amendment 6.

Use of cottonseed, peanut, soybean and corn oils (or their fatty acids) in the manufacture of products for thinning or

reducing paints, varnishes, lacquers and other protective coatings is prohibited by an amendment to Food Distribution Order No. 29 issued by the War Food Administration, effective March 27, 1944.

The four oils are principal raw materials for the manufacture of margarine, shortening and cooking and salad oils. They already have been denied for use in paints, varnishes and laquers.

